



News Bulletin

Bureau of Narcotics & Dangerous Drugs

Winter 2021

Missouri Department of Health and Senior Services

health.mo.gov/safety/bnnd/index.php

ELECTRONIC PRESCRIBING WAIVERS:

BNDD is receiving numerous calls and emails regarding mandatory electronic prescribing. Visit the BNDD website at <https://health.mo.gov/safety/bnnd>.

There is a link to electronic prescribing information. Upon visiting the website, you can read the statute, an informational sheet, a waiver that extends the implementation until March 31, 2021, and also apply for a waiver from electronic prescribing.

Important factors to be considered:

- Although the law mandates electronic prescribing, there are approximately 8 exceptions where electronic prescribing is not required.
- Pharmacies will continue to receive prescriptions by paper, fax, mail, and telephone. Pharmacies are allowed to continue to fill these prescriptions. Pharmacies are not required to check or verify if a practitioner should be prescribing electronically. Pharmacies are not held liable if a practitioner should be prescribing electronically. Pharmacies are not required to enforce this law.
- If it is determined that a practitioner is not prescribing electronically as required, they are subject to discipline by their individual licensing board.
- Practitioners may apply to BNDD for a waiver by filling out the waiver application form provided on the website and emailing it to: BNDDRxWaiver@health.mo.gov.
- Applications are processed in the order they are received. The waiver is valid for one year.
- BNDD is updating the annual application and regulation so that these waiver questions and waivers will be included in the annual registration.

New for
You!

SUBMIT LOSS-THEFT REPORTS ONLINE:

Registrants are required to report the loss, theft, or diversion of controlled substances. Currently, BNDD registrants fill out a paper form manually and then mail to the bureau.

Now, registrants may take advantage of the new electronic online reporting system. Visit the BNDD website at <https://health.mo.gov/safety/bnnd> and click on the link to Online Loss-Theft Reporting.

The new system provides instructions with a link to a fillable PDF form. Registrants may fill in the blanks and submit a report electronically. The document can be saved and returned to later for amendments.

Check It Out

You can find educational documents on the BNDD website at <http://health.mo.gov/safety/bnnd/publications.php>. Documents such as the "CDC Opiate Prescribing Guidelines" and also "Preventing Prescription Fraud" can be viewed.

PLANS TO EXPAND PRACTITIONERS TREATING OPIOID DISORDERS

The federal Department of Health and Human Services is working with the Drug Enforcement Administration to increase the number of practitioners who can prescribe buprenorphine for the treatment of opioid disorders.

At this time, practitioners must undergo a required training program and receive a certificate. Once they have received a certificate, they may contact the DEA and have an “x” placed on their DEA number. This “x” identifies that prescriber as being able to prescribe buprenorphine for the treatment of opioid disorders.

More than 83,000 drug overdoses occurred in the United States from June 2019 through June 2020. This is the highest number of overdose deaths ever documented in a 12-month period. An increase of more than 21% from the previous year, according to the Center for Disease Control and Prevention.

The plan being worked on is for ALL physicians to be able to treat opioid use disorders without taking the required training class and obtaining an “x” on their DEA number.

- The exemption only applies to physicians who may only treat patients who are located in the states in which they are authorized to practice medicine.
- Physicians utilizing this exemption will be limited to treating no more than 30 patients with buprenorphine for opioid use disorder at any one time (Note: The 30 patient cap does not apply to hospital-based physicians, such as Emergency Department physicians).
- The exemption applies only to the prescription of drugs or formulations covered under the X-waiver of the CSA, such as buprenorphine, and does not apply to the prescription, dispensation, or use of methadone for the treatment of OUD.
- Physicians utilizing this exemption shall place an “X” on the prescription and clearly identify that the prescription is being written for opioid use disorders (Along with the separate maintaining of charts for patients being treated for OUD).
- An interagency working group will be established to monitor the implementation and results of these practice guidelines, as well as the impact on diversion.

BNDD does not know when this federal process will be finalized and approved at this time.



Prescriptions for Pseudoephedrine Cannot be Required

In the past, some local jurisdictions had ordinances that required a prescription for pseudoephedrine products. These local ordinances were expunged in 2020.

The new law passed by the Missouri Legislature states that Schedule V meth-precursor products are sold over-the-counter and logged into the state NPLEx system. The law states that “no prescription can be required.” This not only negates the local ordinances, but pharmacies cannot have a policy to require a prescription. No one may require or mandate a prescription.

However, a prescription can be used if it is voluntary. A practitioner and patient may use prescriptions if it is their choice, but a prescription cannot be required by anyone.

TEMPORARY REGISTRATION WAIVER FOR OUT OF STATE PRACTITIONERS

The COVID-19 pandemic has stressed the front line of health care practitioners. Some practitioners are coming to Missouri from out of state to temporarily practice in Missouri. The department has issued a temporary waiver of registration for these visiting practitioners. Out of state practitioners may enter Missouri and practice in response to the COVID-19 pandemic, and they are not required to obtain a state BNDD registration. The practitioner may prescribe using the DEA number from their home state. This waiver is in place until March 31, 2021, unless renewed by the department. This temporary waiver is published on BNDD's website at <https://health.mo.gov/safety/bndd/>.

Update on Regulations...

BNDD has publicly filed the following rules, and has been published in the Missouri Register for comment periods. As the rules go through the regulatory process, BNDD will keep registrants up to date as to when the rules are final.

- 19 CSR 30-1.002—Updates the list of controlled substances in the regulation.
- 19 CSR 30-1.026—Amends registrations so that EMS services only need one registration only at their headquarters, and not all satellite locations.
- 19 CSR 30-1.064—Amends the rule for partial dispensing of controlled substances to match the federal DEA regulations.
- 19 CSR 30-1.074—Amends the regulation to match the new statute. Dispensing meth-precursor products such as pseudoephedrine is now limited to 7.2 grams in 30 days, and no more than 43.2 grams in any 12-month period.
- Emergency Rule—Practitioners may visit the BNDD website and apply online for a waiver from electronic prescribing. This rule and online application are being used until BNDD can make this part of their annual application process.

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Alternate forms of this publication for persons with disabilities may be obtained by contacting the Missouri Department of Health and Senior Services, BNDD, P.O. Box 570, Jefferson City, MO, 65102, (573) 751-6321. An EO/AE employer: Services provided on a nondiscriminatory basis. Individuals who are deaf, hard-of-hearing, or have a speech disability can dial 711 or 1-800-735-2966.